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ABSTRACT

This study examines the impact of the civil rights movement on social change, proposing a framework for viewing the movement's characteristics and organizing themes and discussing its epistemological foundations. Integrating legal and educational data, it points to capstone developments in the civil rights movement and discusses historical circumstances prevailing throughout America's pre-slavery, slavery, and post-slavery periods. It uses the key characteristics to discern the movement's origins, essential nature, organizing themes, and enduring legacy, suggesting that its origins are in the 1688 Quaker and Mennonite anti-slavery movement. Preserving the intellectual ideals and realities of the civil rights struggle, literacy sustained the black press, adding formal and social criticism to civil rights protestations and establishing the civil rights movement as a field of inquiry. The paper relates the impact of the movement's enduring legacy to changes in American society's status quo. (Contains 26 references.) (SM)

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ON THE AMERICAN CIVIL RIGHTS MOVEMENT'S ORIGINS, NATURE, AND LEGACY: FRAMING THE STRUGGLE FOR THE "PEARL OF GREAT PRICE"

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On the American Civil Rights Movement's Origins, Nature, and Legacy: Framing the Struggle for the "Pearl of Great Price"

The legal and educational histories of the U.S. are separate but not inseparable; they converge at the juncture of civil rights. Nonetheless, the prevailing accounts of the Civil Rights Movement are the chronologies of legal events that document the legislative monuments of the protracted effort to enfranchise America's peoples (e.g., see Higginbotham, 1978). Although such histories necessarily broach developments in American Education, they frame these developments from the perspective of changing legislative initiative (e.g., see Kluger, 1975). De-emphasizing its core educational ideals, the legal histories portray the Civil Rights Movement as an essentially rather than a substantially political movement.

From the perspective of America's educational history (e.g., see Kaestle, 1983; Ravitch, 1983; Tyack & Hansot, 1982; Wynne & Wynne, 1988), one can see that the African American quest for education[1] is a recurring theme that, like the record of legislative monuments, spans the entire history of civil rights (e.g., see

Anderson, 1988; Baxter, 1990; Butchhart, 1990; DuBois, 1935, 1973; Franklin, 1990; Kluger, 1975; Newby & Tyack, 1988; Powell, 1993-1996; Tyack & Hansot, 1982; Washington, 1965). This fact suggest that the African American quest for education is inextricably related to the Civil Rights Movement.

Despite its long duration and interdisciplinary compass, the corpus of civil rights literature contains no definitive standards for evaluating the impact of the Civil Rights Movement on social change. There is a fundamental reason for this: Scholars have devised no framework that identifies the Civil Rights Movement's origins, its essential nature, or its organizing theme; consequently, its enduring legacy remains unspecified. Lacking specificity, scholars have no consistent way to relate the Civil Rights Movement's emerging legacy to particular instances of social change. The more comprehensive accounts of the Civil Rights Movement's origins, essential nature, organizing theme, and, as well, its lasting legacy await an integration of literature in three areas: legislative monuments, progress in American Education, and developments in the ongoing African American quest for education.

Purposes of the Present Study

Conforming to the traditional approach to historical analysis, scholars construe history as a series of events that unfold along a time line that ranges from a less progressive past, on to a somewhat more progressive present, and onward still ostensibly toward an even more progressive future. Isolating monumental events, this progressive and linear approach not only substantiates the truth of its own suppositions about the nature, organization, and structure of time, but also it blocks the more contextualized view of history as an enduring "confluence of oppressive historical circumstances" [2] out of which "capstone developments" that transcend the monumental circumstances that produced it emerge. As I intend it, a "confluence of oppressive historical circumstances" relates to a "capstone development" as the abrasive grain of sand, which stimulates the oyster's protective response, relates to the pearl. I take this analogy to articulate conditions under which the protracted struggle for civil rights has engendered positive historical outcomes the value of which justifies the costs of enduring the very circumstances that produced it.

The purpose of this historical study is to develop an integrative approach to understanding the impact of the Civil

Rights Movement on social change. I fulfill this purpose in four stages: I first propose a framework for viewing the Civil Rights Movement's characteristics and organizing theme. Second, integrating the legal and educational data to raise capstone civil rights developments, I explore the historical circumstances that prevailed throughout America's pre-slavery (1619-1641), slavery (1642-1863), and post-slavery (1864-1954) periods. I next use the identified capstones to discern the Civil Rights Movement's origins, essential nature, organizing theme, and enduring legacy. Finally, I relate the impact of its enduring legacy to the obvious changes in American society's staus quo.

A Framework of the Civil Rights Movement's Characteristics and Organizing Theme

Defining characteristics represent those features of a phenomenon that render it distinct among other phenomena. Within the context of the inquiry of civil rights, the outline of the Civil Rights Movement's epistemological foundations and organizational theme can represent a framework for viewing its defining characteristics.

Epistemological foundations of the Civil Rights Movement. Conceived for the defense and development of historically disenfranchised peoples, the Civil Rights Movement constitutes an enduring critique of White supremacy, the dominant discourse of modern American society. Viewed as a field of inquiry, the Civil Rights Movement describes "Critical Theory," an epistemology (i.e., a way of knowing) that aims at the emancipation of dispossessed and marginalized peoples (see Sheurich & Young, 1998). As a critical theory, the Civil Rights Movement challenges American society's prevailing ideology of racism; it protest cultural hegemony; it agitates for the liberalization of society's status quo; and it offers an educational program for the emancipation of participants. The Civil Rights Movement's critical protestations have five epistemological characteristics that render it unique among other social protest movements:

(1) they have a moral basis in religion;

(2) they involve a socially diverse group of participants (i.e., in terms of race, ethnicity, sex, age, religious affiliation, and so forth);

(3) they are strategically nonviolent;

(4) they are sustained despite the real risks to life, limb, or livelihood;

(5) and they include an educational program that prepares participants for emancipation (i.e., psychosocial transformation).

These defining characteristics make the Civil Rights Movement different than, for example, the "Anti-War Movement," as anti-war protestations had no moral foundation in religion, were not necessarily non-violent, and offered no clear program for the emancipation of participants.

The "pearl of great price" theme. Some educational historians footnote the ongoing African American quest for education from a "means-end" perspective. This perspective considers that the African Americans quest for education serves some larger end, for example, the acquisition of political power (see Newby & Tyack, 1988). This means-end perspective overlooks the possibility that, for African Americans, education is not necessarily a means in service to the greater end of social freedom but the object of it (see Baxter, 1990). Put another way, it is quite possible that educational equity is the Civil Rights Movement's "pearl of great price." Although some have offered the "eyes on the prize" theme (e.g., see Hampton, 1987), ostensibly to account for the motivational dynamic that sees people willing to risk life, limb, and livelihood in the struggle for civil rights, to my

knowledge, none have specifically considered educational equity as a primary motive.

Identification and Specification of Capstone Civil Rights Events

In what follows I put the framework of epistemological characteristics and "pearl of great price" organizing theme to the work of identifying the Civil Rights Movement's capstone developments. This section draws upon the literature on legislative monuments and educational developments to articulate the confluence of oppressive circumstances that produced the capstone civil rights developments that I propose.

17th century circumstances. In pre-slavery America, the period from 1607 to about 1641, education focused on religious conversion. The Jamestown, Virginia Colony's mission, for example, was "first to preach and baptize into the Christian religion…and to recover out of the arms of the Devil a number of poor and miserable souls." (Johnson & Smith et al., 1998, p. 29). In New England too, the dominating theme in Puritan education was the Christian conception of the "Millennium," the Second Coming of Christ (Tyack & Hansot, 1982). Believing that the

millennium was imminent, the Puritans felt that their duty was to instruct lost "heathen" souls in the word of God.

In 1619, when the first African immigrants came to Jamestown Virginia colony had no slavery laws. Like other immigrants, Africans were officially classified as indentured servants; and, after serving out their indenture, they took enjoyed the benefits and bore the burdens of living in the new world as free citizens (see Higginbotham, 1978; Johnson & Smith et al., 1998). In 1641, the status of African Americans changed when the Jamestown court sentenced John Punch, an African American indentured servant who violated his contract to life-long servitude and sentenced his two accomplices, a Scotsman and a Dutchman, to an additional four years of service.

The John Punch incident documents America's first instance of the legally sanctioned, life-long involuntary servitude of an African American. That same year, Massachusetts became the first colony to recognize slavery; Connecticut followed in 1650; Virginia in 1661; and New York in 1665 (see Higginbotham, 1978). Around the same time, when the colonies were instituting slave codes, some significant developments in American education were unfolding.

In 1633 the Dutch in New York established America's first elementary school. Shortly thereafter, in 1635, the city of Boston founded the first publicly supported secondary school, Boston Latin School; in 1636 at Cambridge, John Harvard founded Harvard University, the nation's first institution of higher learning; and, shortly thereafter, in 1639, the city of Boston instituted its first publicly supported elementary school, the Cotton Mather Common School. With the passage, in 1647, of the "Old Deluder Satan Act" which required that children, to avoid coming under the influence of the devil, be taught to read the Bible and other religious works (Wynn & Wynn, 1988, pp. 178-179), the Puritans showed that they regarded education as necessary for human emancipation.

Despite these rapid and progressive developments in education, nether the free nor the enslaved African American could enjoy them, as they were systematically denied access to benefits that tax laws forced them to support. Thus, during the 17th Century, the African American community began to endure the confluence of increasing involuntary servitude and "taxation without representation," circumstances that not only demarcate America's pre-slavery and slavery eras but also established the status quo of social inequity.

In 1688, what I believe is the capstone development of the early Civil Rights Movement unfolded: Urging their joint congregation to take official action in the face of increasing involuntary servitude, a congregation of Quakers and German Mennonites assembled in suburban Philadelphia, Pennsylvania to decide the morality of what they called the "traffic of Men-Body." Arguing: "There is a saying that we should do to all men as we will be done ourselves; making no difference of what generation, descent, or colour they are. And those who steal or rob men, and those who buy or purchase them, are they not all alike?" (cited in Higginbotham, 1978, p. 267), the Quakers and Mennonites initiated America's first organized protest of slavery.

Using "friendly persuasion" principles to induce their neighbors to manumit slaves, the Quaker-Mennonite protestation continued for nearly 100 years until 1780 when the early activists achieved their most significant victory: the Pennsylvania legislature passed the first statute in the American colonies to abolish slavery. Inspired by the success of these early protestations, in 1788 Benjamin Rush organized a national attempt to abolish slavery, the "Pennsylvania Society for Promoting the

Abolition of Slavery," with Benjamin Franklin as its first president.

Passing the tradition of moral-based, non-violent protestation as a viable means to achieve peaceful ends on to future civil rights organizations, the 1688 Quaker-Mennonite anti-slavery protestation qualifies as the capstone civil rights development of the 17th Century. Meanwhile, a major development in American education closed the 17th Century; in 1693 Virginia colonists founded William & Mary University.

18th century circumstances. In 1700, despite the ongoing Quaker-Mennonite protests against it, Pennsylvania passed codes that legally sanctioned the life-long involuntary servitude of Blacks, and in 1705 the Virginia Assembly ruled that

> All servants imported and brought into this country…who were not Christian in their native country shall be…accounted and be slaves. All Negro, mulatto, and Indian slaves within this dominion…shall be held to be real estate. (Johnson & Smith et al., 1998, p. 48)

Building on Virginia's legislative initiative, South Carolina, in 1712, legalized slavery with Georgia following much later in 1750. In the increasingly industrial Northern colonies, pressure to provide employment opportunities for European immigrants by

reducing competition from the cheaper slaves labor motivated legislatures to end slavery. Thus, in 1780, Pennsylvania ended slavery; Massachusetts followed in 1783; Rhode Island and Connecticut in 1784; New York in 1785; and New Jersey in 1786.

Meanwhile, in the confluence of increasing and decreasing laws for and against slavery, the progress in American education continued. In 1701, for example, Yale University was founded in Connecticut. Yet, unlike in the 17th Century, this progress included some developments in African American education: in 1743, the Society for the Propagation of the Gospel opened the Charleston Negro School in South Carolina; and in 1787 the New York Manumission Society founded the New York African Free School in New York City (Higginbotham, 1978, pp142-143). Most notable about these changes was the fact that, despite laws against it, the students in both the Charleston and New York schools were instructed in basic literacy; they learned to read and write.

In 1787, however, the free African American Community in Boston petitioned the Massachusetts Legislature for educational equity, arguing that

> ...we are of the humble opinion that we have the right to enjoy the privileges of free men. But that we do not will appear in many instances, and we

> beg leave to mention one out of many, and that is the education of our children which now receive no benefit from the free schools in the town of Boston, which we think is a great grievance, as by woeful experience we now feel the want of a common education. We, therefore, must fear for our rising offspring to see them in ignorance in a land of gospel light when there is provision made for them as well as others and yet can't enjoy them, and for no other reason can be given this they are black…(cited in Kluger, 1975, p. 1)

Significantly, this petition documents the first instance wherein African Americans as a community began to consider educational equity in the context of civil rights. Meanwhile, the 18th century progress in American education culminated in 1794 when New York established its Board of Regents of the University of the State of New York, the first administrative body in America that was authorized to control and finance public education at the state level (see Higginbotham, 1978; Wynne & Wynne, 1988).

Considering the increasing slavery laws in Southern colonies, some histories footnote the outlaw of slavery in Massachusetts in 1783 as the origin of the Civil Rights Movement (e.g., see CNN Interactive, 1997). I disagree, as the legal action in *Walker v. Jennison* (Higginbotham, 1987, pp. 93-98) that led to the 1783 decision, by-and-large, shows none of the characteristics of a capstone civil rights development. Although the legislative

initiative that banned slavery in Massachusetts was nonviolent, being utilitarian (i.e., an economic necessity) in nature, it had no moral basis in religion and made no meaningful allowance for participants' emancipation (see Higginbotham, 1978, pp. 93-98). Instead, I consider that the 18th Century's capstone civil rights development was the 1706-1750 "Great Awakening" (see Johnson & Smith et al., 1998).

In accordance with the doctrine of manifest destiny, the prevailing morality in 18th Century America was that the power of Whites to dominate and subjugate other peoples constitutes proof of God's will for them to do so. By teaching slaves, free Blacks, and poor Whites the notion of spiritual equality, evangelical missionaries defied prevailing customs and laws and inspired the "Great Awakening," an awareness that God loves all humans equally and thus abhors all forms of inequity. This instruction inspired many of the disenfranchised to become clerical advocates of spiritual equality (see Johnson & Smith et al., 1998).

African American churches and its clergy have long taken the lead in protecting dispossessed and disenfranchised peoples from further isolation and victimization (e.g., see Franklin, 1990). For example, in 1794, Absalom Jones founded in Philadelphia

what some consider as the first African American Episcopal (AME) church, while his associate Richard Allen founded Bethel Church which later became the Mother Church for the AME Church, currently America's largest predominantly Black religious denomination (Franklin, 1990, p. 41). Not to be lost here is the fact that both churches established schools that provided instruction for the emancipation of disenfranchised participants of all races (see Johnson & Smith et al., 1998). I am convinced that the strong tradition of clerical advocacy in the African American community has its roots in the Great Awakening.

Considering that the tradition of clerical advocacy transcends the confluence of "taxation without representation," increasing and decreasing slavery legislation, and increasing cultural hegemony, I consider the Great Awakening the capstone civil rights development of the 17th Century. It sustained and passed on the truth that human emancipation is not an affair of the state but of the spirit, God's will, and requires education.

19th century circumstances. Despite the fact that its less than vigorous enforcement did little to stop the illegal traffic, the 19th Century nevertheless began with the 1808 ban on the importation of African slaves. In 1820 the "Missouri Compromise"

initiated a series of dubious legislative decisions and ambiguous legal interpretations that showed the Nation's willingness to sacrifice African American's civil rights to appease its multifarious White interest groups (see Bell, 1992, pp. 1-14). On the one hand, the nation wanted to abolish slavery, but, on the other hand, it did not. Hence the Compromise of 1850 saw California enter the nation as a free state, ostensibly appeasing abolitionists interests, while the 1857 Dred Scott decision, holding that slaves could not become free by being in a free state, sought to appease the interest of slaveholders. Clearly, these compromises were ineffective; in 1861 the Confederacy formed and the Civil War began.

In 1863 President Lincoln signed the Emancipation Proclamation, which some historians hail as a monument in the struggle for social justice, while others in retrospect disagree (e.g., see Bell, 1992, pp. 1-14). This controversy notwithstanding, the 19th Century describes a confluence of a disorganized White citizenry, a unified newly enfranchised African American citizenry, and a national attempt to reunify the White citizenry by imposing on African American's Constitutional rights.

Against this backdrop, during the progressive reconstruction era between 1865 and 1881, many Black colleges

and universities, including Howard, Fisk, Atlanta University, Morehouse, Bethune-Cookman, Spelman, and Hampton Institute were established. In 1881, Booker T. Washington founded Tuskegee Institute (Washington, 1965). After emancipation, only about 5% of slaves could read and write; long denied education, it became a high priority in the national African American community. According to Booker T. Washington (1965), "In every part of the South, during the Reconstruction period, schools, both day and night, were filled to overflowing with people of all ages and conditions, some being as far along in age as sixty and seventy years." (p. 71).

After the Civil War, Union soldiers, free Blacks, church missionaries, Abolitionists, and educators from the North flooded the South to teach basic literacy to ex-slaves. The U.S. Government Freedmen's Bureau opened 4,000 schools that, over the five years of its existence, saw nearly 250,000 ex-slaves attend (see Kluger, 1975, p. 51; Rose, 1964, p. 284-285) and employed from 7,500 to 10,000 instructors who worked for one of the 50 Northern aid societies (Butchart, 1990, p. 85). By 1868, the African Methodist Episcopal (AME) Church's "Sabbath Schools" had enrolled 40,000 students, and, by 1885 the number had risen to

200, 000 (Tyack & Hansot, 1982). The history of American Education shows that the greatest growth in basic literacy (between 25% and 40%) occurred among African Americans during the reconstruction and post-reconstruction eras (see Baxter, 1990).

I consider the phenomenal growth in basic literacy among newly freed African Americans as the capstone development of the 19th Century. This capstone development had profound and long lasting implications for the development of Black universities and colleges and more importantly gave rise to the Black Press.[3] Continuing well into the 20th Century and buoyed by an increasingly literate readership the Black Press represents the major agency for the formal critique of the discourses of White supremacy (e.g., see DuBois, 1929).

As a forum for the Black intelligentsia, the Black Press became a repository of for the ideals and realities of Black life in America. Its capacity to reach and galvanize the national Black community makes the Black Press a powerful institution in the struggle for civil rights, one rivaled only by the church. Sustaining the Black Press, the growth of basic literacy capstone passed the strong tradition of social criticism onto to future generations of Civil Rights Movement protestors.

1. Summary of Answers to Important Questions: Applying the Capstones

What are the origins of the Civil Rights Movement? The evidence here suggest that the Civil Rights Movement's roots are in the 1688 Quaker and Mennonite anti-slavery protestation. That is, the early 1688 protest represents the earliest capstone civil rights development that reflects all the elements of the later Civil Rights Movement. Produced by the confluence of increasing involuntary servitude and social inequality the 1688 Quaker-Mennonite protest passed the tradition of moral-based, non-violent protestation on to the future generations of Civil Rights Movement protesters.

The confluence of cultural hegemony, increasing and decreasing slavery legislation, and "taxation without representation" produced the Great Awakening, a capstone that led to the strong tradition in the African American Community of clerical advocacy. Sustaining moral-based, non-violent protestation, the Great Awakening capstone added spiritual equality and the notion that human emancipation from social inequity is the will of God and requires education to the character of civil rights protestation.

The confluence of a disorganized White citizenry, a unified and enfranchised African American citizenry, and a national attempt to reunify the White citizenry by imposing on African American's Constitutional rights produced a phenomenal growth of literacy. Preserving the intellectual ideals and realities of the struggle for civil rights, the literacy capstone sustains the Black Press, adding the tradition of formal social criticism to the character of civil rights protestations and establishing the Civil Rights Movement as a field of inquiry.

What is the nature of the Civil Rights Movement? As a field of inquiry, the Civil Rights Movement represents critical theory, an epistemology that proceeds on the basis of social criticism and aims at the emancipation of disenfranchised peoples (Sheurich & Young, 1998). Because the capacity to critique social discourses is a function of societal literacy, and societal literacy requires education (see Gee, 1987), one can conclude that the Civil Rights Movement is essentially an educational enterprise.

What is the Civil Rights Movement's enduring legacy? Viewing it as an educational enterprise, I conclude that the Civil Rights Movement's enduring legacy resides in the 1964 Civil Rights Act's Title VI provision which prohibits race, color, or

national origin discrimination in educational programs and activities that receive federal funds (U. S. Department of Education, Office of Civil Rights, 1999). Considering that education constitutes the primary route to mainstream American society, to the extent that Title VI ensures educational equity, it underpins today's increasingly expanding Black, Hispanic, Asian, Native American middle classes as well as that of segments of the historically disenfranchised White community.

The evaluation of the impact of the Civil Rights Movement should build on its enduring legacy. Considering the information that I provide here, such assessments should attend to the facts about the impact of Title VI on the changing status quo of American society and the legislative and educational histories that led to this entitlement.

A concluding thought. What was true for Epictetus, the first century BC Greek philosopher who argued that "only the educated can truly be free," is no less true today. In view of this maxim, it is reasonable that Title VI, the assurance of educational equity, best reflects the Civil Rights Movement's pearl that it wrought at great price.

End Notes

[1] By "education" I mean something more specific than formal schooling; I am using a conception of education that builds on Gee's (1987) notion of literacy as a learned capacity to master or critique primary and secondary discourse universes. I use this conception of education to describe three categories of learning: "basic" literacy (i.e., a capacity to read, write, and count), "cultural" literacy (i.e., a capacity to critique one's primary discourse universe or culture), "societal" literacy (i.e., a capacity to critique secondary discourse universes or cultures that are different than one's own. Although formal schooling is one way to gain these literacies, it clearly is not the only way. Indeed, in many demonstrated cases, formal schooling can interfere in the process of becoming fully literate (e.g., see Anderson, 1988, pp. 1-3).

[2] Derrick Bell (1992), who I cite in my reference section, amply documents the permanence and legislative history of the oppressive monumental circumstances that African Americans in particular endure.

[3] By "Black Press" I describe both the popular and the academic publications of indigenous African Americans or immigrant Black people. These publications might be in multi-media formats (e.g., books, magazines, film, videotapes, audiotapes, visual arts) and contain intellectual products of the protracted African American struggle for freedom.

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